



REPUBLIC OF TRINIDAD AND TOBAGO

IN THE HIGH COURT OF JUSTICE

Claim No. CV2019-00348

**IN THE MATTER OF THE ECONOMIC SANCTIONS ACT, CHAPTER
81:05**

AND

**IN THE MATTER OF THE ECONOMIC SANCTIONS
(IMPLEMENTATION OF UNITED NATIONS RESOLUTIONS ON THE
DEMOCRATIC PEOPLE'S REPUBLIC OF KOREA) ORDER, 2018**

AND

**IN THE MATTER OF AN APPLICATION BY THE ATTORNEY
GENERAL OF TRINIDAD AND TOBAGO FOR A PROHIBITORY
ORDER UNDER CLAUSE 4 OF THE ECONOMIC SANCTIONS
(IMPLEMENTATION OF UNITED NATIONS RESOLUTIONS ON THE
DEMOCRATIC PEOPLE'S REPUBLIC OF KOREA) ORDER, 2018**


BETWEEN

THE ATTORNEY GENERAL OF TRINIDAD AND TOBAGO

Claimant

AND

- 1. KOREA MINING DEVELOPMENT TRADING CORPORATION also known as CHANGGWANG SINYONG CORPORATION also known as EXTERNAL TECHNOLOGY GENERAL CORPORATION also known as DPRKN MINING DEVELOPMENT TRADING COOPERATION also known as "KOMID";**
- 2. HONG KONG ELECTRONICS also known as HONG KONG ELECTRONICS KISH CO.;**
- 3. KOREA HYOKSIN TRADING CORPORATION also known as KOREA HYOKSIN EXPORT AND IMPORT CORPORATION;**

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4. **GENERAL BUREAU OF ATOMIC ENERGY (GBAE)** also known as **GENERAL DEPARTMENT OF ATOMIC ENERGY (GDAE)**;
 5. **KOREAN TANGUN TRADING CORPORATION**;
 6. **AMROGGANG DEVELOPMENT BANKING CORPORATION** also known as **AMROGGANG DEVELOPMENT BANK** also known as **AMNOKKANG DEVELOPMENT BANK**;
 7. **KOREA HEUNGJIN TRADING COMPANY** also known as **HUNJIN TRADING CO.** also known as **KOREA HENJIN TRADING CO.** also known as **KOREA HENGJIN TRADING COMPANY**;
 8. **KOREAN COMMITTEE FOR SPACE TECHNOLOGY** also known as **DPRK COMMITTEE FOR SPACE TECHNOLOGY** also known as **DEPARTMENT OF SPACE TECHNOLOGY OF THE DPRK** also known as **COMMITTEE FOR SPACE TECHNOLOGY** also known as **KCST**;
 9. **TOSONG TECHNOLOGY TRADING CORPORATION**;
 10. **SECOND ACADEMY OF NATURAL SCIENCES** also known as **2ND ACADEMY OF NATURAL SCIENCES** also known as **CHE 2 CHAYON KWAHAKWON** also known as **ACADEMY OF NATURAL SCIENCES** also known as **CHAYON KWAHAKWON** also known as **NATIONAL DEFENSE ACADEMY** also known as **KUKPANG KWAHAKWON** also known as **SECOND ACADEMY OF NATURAL SCIENCES RESEARCH INSTITUTE** also known as **SANSRI**;
 11. **KOREA COMPLEX EQUIPMENT IMPORT CORPORATION**;
 12. **ACADEMY OF NATIONAL DEFENSE SCIENCE**;
 13. **HESONG TRADING COMPANY**;
 14. **MUNITIONS INDUSTRY DEPARTMENT** also known as **MILITARY SUPPLIES INDUSTRY DEPARTMENT** also known as **MID**;
 15. **NATIONAL AEROSPACE DEVELOPMENT ADMINISTRATION** also known as **NADA**;

16. **OFFICE 39** also known as **OFFICE #39** also known as **OFFICE NO. 39** also known as **BUREAU 39** also known as **CENTRAL COMMITTEE BUREAU 39** also known as **THIRD FLOOR** also known as **DIVISION 39**;
17. **SECOND ECONOMIC COMMITTEE**;
18. **KOREA UNITED DEVELOPMENT BANK**;
19. **ILSIM INTERNATIONAL BANK**;
20. **SINGWANG ECONOMICS AND TRADING GENERAL CORPORATION**;

Defendants

ORDER

Before the **Honourable Mr. Justice Kevin Ramcharan**

Dated the 13th day of March, 2019

UPON READING the Application filed on 13th March, 2019 and the affidavit of Principal Deponent sworn and filed on 13th March, 2019 together with the exhibits attached thereto;

AND UPON this Application being determined without a hearing;

IT IS ORDERED THAT personal service on the Defendant be dispensed with.

IT IS ORDERED THAT the Order granted by the Honourable **Mr. Justice Kevin Ramcharan dated January 25, 2019**, is hereby varied by deleting the paragraphs numbered 2 and 3 respectively in the Order and replacing same with the following:

“2) pursuant to Clause 4(1)(a) of the DPRK Order that, subject to Clause 4(3) of the DPRK Order, the property including:

- (a) funds or assets of any kind, whether tangible or intangible, moveable or immovable, however acquired;
- (b) legal documents or instruments in any form, including electronic or digital, evidencing title to, or interest in, such assets, including but not limited to-
 - i) bank credits;
 - ii) payment cards;
 - iii) payment instruments;
 - iv) travellers' cheques;

- v) bank cheques;
 - vi) money orders;
 - vii) shares;
 - viii) securities;
 - ix) bonds;
 - x) drafts; or
 - xi) letters of credit;
- (c) precious stones, including diamonds, rubies, sapphires, or emeralds, whether in a treated or untreated state;
 - (d) precious metals, including gold, silver or platinum, whether in a manufactured or unmanufactured state;
 - (e) oil and other natural resources, and their refined products, modular refineries and related material; and
 - (f) other economic resources which may be used to obtain property, goods or services,

and including a legal or equitable interest, whether full or partial, in any such property that is

- i) owned or controlled by each Defendant;
- ii) wholly or jointly owned or controlled, directly or indirectly, by each Defendant; and
- iii) derived or generated from funds or other assets owned or controlled directly or indirectly by each Defendant,

be frozen as and when they arise;


3) pursuant to Clause 4(1)(b) of the DPRK Order, subject to Clause 4(3) of the DPRK Order, each Defendant is prohibited from possessing, controlling or having access to any property, whether owned or controlled, directly or indirectly by:

- (1) the Worker's Party of Korea; or
- (2) an individual or entity owned or controlled by the Government of the DPRK or the Worker's Party of Korea,

which is associated with the nuclear or ballistic missile programme of the DPRK, as and when they arise, and including a legal or equitable interest, whether full or partial, in any such property;"

IT IS FURTHER ORDERED that:

1. Pursuant to Clause 4(4)(b) of the DPRK Order, the Registrar of the Supreme Court do serve an Office Copy of the Order on the Financial Intelligence Unit immediately in accordance with the Civil Proceedings Rules 1998 (as amended);
2. Pursuant to Clause 8(1) of the DPRK Order, the Claimant do immediately update the consolidated list maintained by the Claimant pursuant to Clause 8(1)(d) and circulate that updated list to all financial institutions and listed businesses;
3. Pursuant to Clause 4(7) of the DPRK Order, the Claimant do cause a copy of the Order to be published in the Trinidad and Tobago Gazette and in two (2) daily newspapers of general circulation in Trinidad and Tobago; and
4. Costs to be costs in the cause.


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**Assistant Registrar
Supreme Court**
Wrenerson G. Lochan
Assistant Registrar and Deputy Marshal
Supreme Court of Trinidad and Tobago

TO: **Vyana Sharma**
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